IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

SECOND APPEAL NO.174 OF 2007

Shri Arjun Ganpati Wagh and others .. Appellants
v/s.
Hanumant Vithu Wagh and others .. Respondents

Mr. Anilkumar Patil for the appellants.

CORAM : A.M. KHANWILKAR, J.
DATED : 5TH JULY, 2007

P.C.

Heard counsel for the appellants.

2. The attempt of the appellants is to pursuade this court to reappreciate the evidence on record, that cannot be countenanced. The argument of the appellants that the efficacy of the kabjepavti was pressed into service, but not considered by the appellate court at all. This argument overlooks that the appellate court has adverted to all the relevant material, both documentary and evidence, and on that basis, finding of fact has been given. Even if it is a case of some error here or there in the judgment of the appellate court, that cannot be the basis to entertain the second appeal.

3. No substantial question of law arises for consideration. Dismissed.

(A.M. KHANWILKAR, J.)